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EXAMINER
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BAYARD, DJENANE M

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2141

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/703,412

Applicant(s)

SWINTON ET AL.

Examiner

Djenane M. Bayard

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This is in response to communication filed on 10/03/07 in which claims 1-4 and 6-62 are pending.

### *Response to Arguments*

2. Applicant's arguments have been fully considered but they are not persuasive. Applicant argues that the teaching of Lin is different from first determining a type of physical communication link and based on said determined type of physical communication link, establishing a communication session between the digital camera and the particular device host device. However, Lin teaches wherein the "cross-connect switches function to connect the client to the desired network. For example the first cross-connect switch may be a telephone interconnect cross-connect switch, the second cross-connect switch may be a mobile data gateway, and the third cross-connect switch may be a circuit data cross-connect switch". Contrary to Applicant's argument Lin teaches wherein based on the type of **communication link established** one of the cross-connect switch or bearer network will be used in connecting with the server (See col. 4, lines 9-13).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the

applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6, 9-12, 19-22, 26, 31, 37-40, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,020,881 to Takahashi et al in view of U.S. Patent No. 6,269,402 to Lin et al.

a. As per claims 1 and 21, Takahashi et al teaches a method for providing a variety of disparate host devices access to digital images residing on a digital camera device, the method comprising: and through said photo-serving communication protocols, allowing the host device to access digital images residing on the digital camera device (See col. 9, lines 50-67 and col. 10,

lines 8-37). Furthermore, Takahashi et al teaches a communication session supporting photo-serving communication protocols that present the digital camera device as a file server to the host device (See col. 13, lines 24-67 and col. 17). However, Takahashi et al fails to teach upon connection the digital camera device to a particular host device that is capable of hosting digital camera device automatically identifying the particular host device that the digital camera device is currently connected to including determining a type of physical communication link information allowing communication between the device and the host; based on said determined type of physical communication link, establishing a communication session between the digital camera device and the particular host device.

Lin et al teaches a method for providing seamless communication across bearers in a wireless communication. Furthermore, Lin et al teaches wherein the type of communication link established determines which cross-connect switch or bearer network will be used in connecting to the server. Once a request is received from the mobile station, the base station forwards the information to the appropriate cross-connect switch, and then on to the server. The server then receives the request, and if resources are available, generates the session identifier and a compressed session identifier and returns these parameters over the bearer network to the base station, which then transmits it back to the mobile station (See col. 4, lines 9-24).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Lin et al in the claimed invention of Takahashi et al in order to support to determine which switch or bearer network will be used in connecting (See col. 4, lines 9-24).

b. As per claim 2, Takahashi et al in view of Lin et al teaches the claimed invention as described above. Furthermore, Takahashi et al teaches wherein said connecting step includes: connecting the portable device to a particular host device over a wireless communication medium (See col. 6).

c. As per claim 3, Takahashi et al in view of Lin et al teaches the claimed invention as described above. Furthermore, Takahashi et al teaches wherein said connecting step includes: connecting the digital camera device to a particular host device over a wireline communication medium (See col. 6).

d. As per claim 6, Takahashi et al in view of Lin et al teaches wherein particular host device comprises a handheld computing device (See col.6, lines 50-55).

e. As per claim 9, Takahashi et al in view of Lin et al teaches the claimed invention as described above. Furthermore, Takahashi et al teaches wherein said particular host device includes facilities for offloading digital images from said digital camera device (See col. 16 and 17).

f. As per claim 10, Takahashi et al in view of Lin et al teaches the claimed invention as described above. Furthermore, Takahashi et al teaches wherein said particular host device includes facilities for manipulating digital images, while those digital images reside on said digital camera device (See page 3, paragraph [0024]).

g. As per claims 11 and 31, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al fails to teach wherein said identifying step occurs immediately upon connection of the digital camera to the particular host device.

Lin et al teaches wherein said identifying step occurs immediately upon connection of the device to the particular host device (See col. 4, lines 9-24).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Lin et al in the claimed invention of Takahashi et al in order to support to determine which switch or bearer network will be used in connecting (See col. 4, lines 9-24).

h. As per claim 12, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al fails to teach wherein said identifying step includes: probing the particular host device in a query/response fashion, for identifying the particular host device.

Lin et al teaches wherein said identifying step includes: probing the particular host device in a query/response fashion, for identifying the particular host device (See col. 4, lines 9-24)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Lin et al in the claimed invention of Takahashi et al in order to support to determine which switch or bearer network will be used in connecting (See col. 4, lines 9-24).

i. As per claims 19 and 39, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al fails to teach providing host-side support for the photo-serving communication protocols by injecting an appropriate driver into the particular host device.

Lin et al teaches providing host-side support for the photo-serving communication protocols by injecting an appropriate driver into the particular host device (See col. 4).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Lin et al in the claimed invention of Takahashi et al in order to support to determine which switch or bearer network will be used in connecting (See col. 4, lines 9-24).

j. As per claim 20 and 40, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al fails to teach wherein the appropriate driver is initially stored on said digital camera device and is injected into the particular host device upon connection of the two devices together.

Lin et al teaches wherein the appropriate driver is initially stored on said peripheral device and is injected into the particular host device upon connection of the two devices together (See col. 4)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Lin et al in the claimed invention of Takahashi et al in order to support to determine which switch or bearer network will be used in connecting (See col. 4, lines 9-24).



k. As per claim 22, Takahashi et al in view of Lin et al teaches the claimed invention as described above. Furthermore, Takahashi et al teaches wherein said connecting step includes: connecting the portable device to a particular host device over a wireless communication medium (See col. 6).

l. As per claim 26, Takahashi et al in view of Lin et al teaches wherein particular host device comprises a handheld computing device (See col. 6)

m. As per claim 37, Takahashi et al in view of Lin et al teaches the claimed invention as described above. Furthermore, Takahashi et al teaches wherein said photo-serving communication protocols comprise a photo-specific interface allowing the particular host device to directly access digital images on a per-file basis, while those images reside on the digital camera device (See col. 16 and col. 17).

n. As per claim 38, Takahashi et al in view of Lin et al teaches the claimed invention as described above. Furthermore, Takahashi et al teaches wherein said photo-serving communication protocols comprise a command set providing the particular host device with file-based access and manipulation of digital images residing on the digital camera device (See col. 16 and col. 17)

5. Claims 4 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,020881 to Takahashi in view of U.S. Patent No. 6,269402 to Lin et al as applied to claim 1 above, and further in view of 6,628,325 to Steinberg et al.

a. As per claim 4, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al fails to teach wherein said wireline communication medium includes a selected one of serial (RS-232) and USB (Universal Serial Bus) connectivity.

Steinberg et al teaches wherein said wireline communication medium includes a selected one of serial (RS-232) and USB (Universal Serial Bus) connectivity (See col. 2, lines 45-46).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said wireline communication medium includes a selected one of serial (RS-232) and USB (Universal Serial Bus) connectivity as taught by Steinberg et al in the claimed invention of Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

b. As per claim 17, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi fails to teach wherein said photo-serving communication protocols comprise a photo-specific interface allowing the particular host device to directly access digital images on a per-file basis, while those images reside on the digital camera device.

Steinberg et al teaches wherein said photo-serving communication protocols comprise a photo-specific interface allowing the particular host device to directly access digital images on a per-file basis, while those images reside on the digital camera device (See col. 8, lines 41-47).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said photo-serving communication protocols comprise a photo-specific interface allowing the particular host device to directly access digital images on a per-file basis, while those images reside on the digital camera device as taught by Steinberg in the claimed invention of Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

c. As per claim 18, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi fails to teach wherein said photo-serving communication protocols comprise a command set providing the particular host device with file-based access and manipulation of digital images residing on the digital camera device.

Steinberg et al teaches wherein said photo-serving communication protocols comprise a command set providing the particular host device with file-based access and manipulation of digital images residing on the digital camera device (See col. 8, lines 41-47).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said photo-serving communication protocols comprise a command set providing the particular host device with file-based access and manipulation of digital images residing on the digital camera device as taught by Steinberg in the claimed invention of Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

6. Claims 7-8, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,020881 to Takahashi et al in view of U.S. Patent No. 6,269402 to Lin et al as applied to claim 1 above, and further in view of U.S. Pub No. 2003/0142215 to Ward et al.

a. As per claim 7, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said particular host device comprises a cellular phone device.

Ward et al teaches a network configuration file for automatically transmitting images from and electronic still camera. Furthermore, Ward et al teaches teach wherein said particular host device comprises a cellular phone device (See paragraph [0014], lines 31-34 and figure 4).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate teach wherein said particular host device comprises a cellular phone device as taught by Ward et al in the claimed invention of Takahashi et al in view of Lin et al in order to transmit the pictures directly from the digital camera (See paragraph [0003], lines 7-9).

b. As per claim 8, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi in view of Lin et al fails to teach wherein said particular host device and said digital camera device support TCP/IP connectivity.

Ward et al teaches wherein said particular host device and said digital camera device support TCP/IP connectivity. (See paragraph [0012], lines 17-19).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said particular host device and said digital camera device

support TCP/IP connectivity as taught by Ward et al in the claimed invention of Takahashi et al in view of Lin et al in order to transmit the pictures directly from the digital camera (See paragraph [0003], lines 7-9).

c. As per claim 16, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said communication session established between the digital camera device and the particular host device employs TCP/IP.

Ward et al teaches wherein said communication session established between the digital camera device and the particular host device employs TCP/IP (See paragraph [0012], lines 17-19).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said communication session established between the digital camera device and the particular host device employs TCP/IP as taught by Ward in the claimed invention of Takahashi et al in view of Lin et al in order to order to transmit the pictures directly from the digital camera (See paragraph [0003], lines 7-9).

7. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,020881 to Takahashi et al in view of U.S. Patent No. 6,269402 to Lin et al as applied to claim 12 above, and further in view of U.S. No. 5,737,491 to Allen et al.

a. As per claim 13, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said probing step includes referencing a knowledgebase that stores expected responses, for identifying the particular host device.

Allen et al teaches an electronic imaging system capable of image capture, local wireless transmission and voice recognition. Furthermore, Allen et al teaches includes referencing a knowledgebase that stores expected responses, for identifying the particular host device (See col. 4, lines 55-59).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate includes referencing a knowledgebase that stores expected responses, for identifying the particular host device as taught by Allen et al in the claimed invention of Takahashi et al in view of Lin et al in order to in order to provide easy control over fast delivery of digital images in the field that allows a choice of different communication relay services. (See col. 1, lines 58-60)

b. As per claim 14, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said expected responses comprise factory preset values.

Allen et al teaches an electronic imaging system capable of image capture, local wireless transmission and voice recognition. Furthermore, Allen et al teaches wherein said expected responses comprise factory preset values (See col. 2, lines 52-58).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said expected responses comprise factory preset values as taught by Allen et al in the claimed invention of Takahashi et al in view of Lin et al in order to provide easy control over fast delivery of digital images in the field that allows a choice of different communication relay services. (See col. 1, lines 58-60)

c. As per claim 15, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said knowledgebase is stored in a registry of the digital camera device.

Allen et al teaches wherein said knowledgebase is stored in a registry of the digital camera device (See col. 4, lines 14-35).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said knowledgebase is stored in a registry of the digital camera device as taught by Allen et al in the claimed invention of Takahashi et al in view of Lin et al in order to in order to provide easy control over fast delivery of digital images in the field that allows a choice of different communication relay services. (See col. 1, lines 58-60)

8. Claims 23-25, 29-30, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,020,881 to Takahashi et al in view U.S. Patent No. 6,269,402 to Lin et al as applied to claim 21 above, and further in view of U.S. Patent No. 6,628,325 to Steinberg et al.

a. As per claim 23, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi teaches wherein said connecting step includes: connecting the digital camera device to a particular host device over a wireline communication medium.

Steinberg et al teaches wherein said connecting step includes: connecting the digital camera device to a particular host device over a wireline communication medium (See col. 2, lines 45-46).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said connecting step includes: connecting the digital camera device to a particular host device over a wireline communication medium as taught by Steinberg et al in the claimed invention of Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

b. As per claim 24, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi fails to teach wherein said wireline communication medium includes a selected one of serial (RS-232) and USB (Universal Serial Bus) connectivity (See col. 2, lines 45-46).

Steinberg et al teaches wherein said wireline communication medium includes a selected one of serial (RS-232) and USB (Universal Serial Bus) connectivity (See col. 2, lines 45-46).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said wireline communication medium includes a selected one of serial (RS-232) and USB (Universal Serial Bus) connectivity as taught by Steinberg et al in



the claimed invention of Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

c. As per claim 25, Takahashi et al in view of Lin et al and further in view of Morris s the claimed invention as described above. However, Takahashi et al in view of Lin et al further in view of Morris fails teach wherein particular host device comprises a computing device.

Steinberg et al teaches wherein particular host device comprises a computing device (See abstract, lines 19-23).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein particular host device comprise a computing device as taught by Steinberg in the claimed invention of Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

d. As per claim 29, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said particular host device includes facilities for offloading digital images from said digital camera device.

Steinberg et al teaches wherein said particular host device includes facilities for offloading digital images from said digital camera device (See col. 11, lines 1-7).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said particular host device includes facilities for offloading digital images from said digital camera device as taught by Steinberg in the claimed invention of

Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

e. As per claim 30, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al and further in view of Morris fail to teach wherein said particular host device includes facilities for manipulating digital images, while those files reside on said portable device (See col. 8, lines 41-47).

Steinberg et al teaches wherein said particular host device includes facilities for manipulating digital images, while those files reside on said portable device (See col. 8, lines 41-47).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said particular host device includes facilities for manipulating digital images, while those files reside on said portable device as taught by Steinberg in the claimed invention of Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

f. As per claim 32, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi fails to teach wherein said identifying step includes: probing the particular host device in a query/response fashion, for identifying the particular host device.

Steinberg teaches wherein said identifying step includes: probing the particular host device in a query/response fashion, for identifying the particular host device (See col. 10, lines 62-64).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said identifying step includes: probing the particular host device in a query/response fashion, for identifying the particular host device as taught by Steinberg in the claimed invention of Takahashi et al in view of Lin et al in order to transfer image data from the camera to the destination (See col. 10, lines 36-40).

9. Claim 27-28, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,020881 to Takahashi et al in view of U.S. Patent No. 6,269402 to Lin et al as applied to claim 21 above, and further in view of U.S. Pub No. 2003/0142215 to Ward et al.

a. As per claim 27, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said particular host device comprises a cellular phone device.

Ward et al teaches a network configuration file for automatically transmitting images from and electronic still camera. Furthermore, Ward et al teaches wherein said particular host device comprises a cellular phone device (See paragraph [0014], lines 31-34 and figure 4).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said particular host device comprises a cellular phone

device as taught by Ward et al in the claimed invention of Takahashi et al in view of Lin et al in order to transmit the pictures directly from the digital camera (See paragraph [0003], lines 7-9).

b. As per claim 28, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said particular host device and said digital camera device support TCP/IP connectivity.

Ward et al teaches wherein said particular host device and said digital camera device support TCP/IP connectivity. (See paragraph [0012], lines 17-19).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said particular host device and said digital camera device support TCP/IP connectivity as taught by Ward et al in the claimed invention of Takahashi et al in view of Lin et al in order to transmit the pictures directly from the digital camera (See paragraph [0003], lines 7-9).

c. As per claim 36, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said communication session established between the digital camera device and the particular host device employs TCP/IP.

Ward et al teaches wherein said communication session established between the digital camera device and the particular host device employs TCP/IP (See paragraph [0012], lines 17-19).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said communication session established between the digital camera device and the particular host device employs TCP/IP as taught by Ward in the claimed invention of Takahashi et al in view of Lin et al in order to transmit the pictures directly from the digital camera (See paragraph [0003], lines 7-9).

10. Claims 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,020,881 to Takahashi et al in view of U.S. Patent No. 6,269,402 to Lin et al as applied to claim 21 above, and further in view of U.S. No. 5,737,491 to Allen et al.

a. As per claim 33, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said probing step includes referencing a knowledgebase that stores expected responses, for identifying the particular host device.

Allen et al teaches an electronic imaging system capable of image capture, local wireless transmission and voice recognition. Furthermore, Allen et al teaches includes referencing a knowledgebase that stores expected responses, for identifying the particular host device (See col. 4, lines 55-59).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate includes referencing a knowledgebase that stores expected responses, for identifying the particular host device as taught by Allen et al in the claimed invention of

Takahashi et al in view of Lin et al in order to provide easy control over fast delivery of digital images in the field that allows a choice of different communication relay services. (See col. 1, lines 58-60)

b. As per claim 34, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said expected responses comprise factory-preset values.

Allen et al teaches an electronic imaging system capable of image capture, local wireless transmission and voice recognition. Furthermore, Allen et al teaches wherein said expected responses comprise factory preset values (See col. 2, lines 52-58).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said expected responses comprise factory preset values as taught by Allen et al in the claimed invention of Takahashi et al in view of Lin et al in order to provide easy control over fast delivery of digital images in the field that allows a choice of different communication relay services. (See col. 1, lines 58-60)

c. As per claim 35, Takahashi et al in view of Lin et al teaches the claimed invention as described above. However, Takahashi et al in view of Lin et al fails to teach wherein said knowledgebase is stored in a registry of the digital camera device.

Allen et al teaches wherein said knowledgebase is stored in a registry of the digital camera device (See col. 4, lines 14-35).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said knowledgebase is stored in a registry of the digital camera device as taught by Allen et al in the claimed invention of Takahashi et al in view of Lin et al in order to in order to provide easy control over fast delivery of digital images in the field that allows a choice of different communication relay services. (See col. 1, lines 58-60).

11. Claims 41-59 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,005,613 to Endsley et al in view of U.S. Patent No. 6,269,402 to Lin et al and further in view of U.S. Patent No. 6,353,848 to Morris.

a. As per claim 41, Endsley et al teaches a portable device allowing a variety of disparate host devices access to files residing on the portable device, upon the portable device's connection to one of the host devices, the portable device comprising: a connection interface for enabling the connection of the portable device to a particular host device that is capable of hosting the portable device (See abstract, lines 5-7); However, Endsley et al fails to teach upon connection the digital camera device to a particular host device that is capable of hosting digital camera device automatically identifying the particular host device that the digital camera device is currently connected to including determining a type of physical communication link information allowing communication between the device and the host; based on said determined type of communication link, establishing a communication session between the digital camera device and the particular host device.

Lin et al teaches a method for providing seamless communication across bearers in a wireless communication. Furthermore, Lin et al teaches wherein the type of communication link established determines which cross-connect switch or bearer network will be used in connecting to the server. Once a request is received from the mobile station, the base station forwards the information to the appropriate cross-connect switch, and then on to the server. The server then receives the request, and if resources are available, generates the session identifier and a compressed session identifier and returns these parameters over the bearer network to the base station, which then transmits it back to the mobile station (See col. 4, lines 9-24).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Lin et al in the claimed invention of Endsley et al in order to support to determine which switch or bearer network will be used in connecting (See col. 4, lines 9-24).

Morris a method and system allowing a client computer to access a portable digital image capture unit over a network. Furthermore, Morris teaches accessing a digital camera and its internally stored data remotely accessible. The digital camera to be set to continuously take pictures of scenes and items of interest and to allow a user to access those pictures at any time (See col. 23, lines 67 and col. 24, lines 1-9). (It is inherent that there is a communication protocol between the digital camera and the host device in order to communicate with each other).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Takahashi, Lin et al and Morris in order to implement remote accessibility via a communication network such as the Internet, thus allowing the user to



access the digital camera from virtually an unlimited number of locations and with the camera in virtually any location (See col. 24, lines 1-9, Morris).

b. As per claim 42 to 59, see claims 6-20 above.

c. As per claim 61, Endsley teaches wherein said file-serving communication protocols include FTP (File Transport Protocol) support (See col. 4).

12. Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,005, 613 to Endsley in view of U.S. Patent No. 6,269,402 to Lin et al and further in view of U.S. Patent No. 6,353,848 to Morris as applied to claim 41 above, and further in view of U.S. Patent No. 6,529,969 to Inoue.

a. As per claim 60, Endsley et al in view of Lin et al and further in view of Morris teaches the claimed invention as described above. However, Endsley et al fails to teach wherein the communication session is initially established using Point-to-Point protocol.

Inoue teaches a reception method and apparatus for searching various first and second source devices adapted to send data signals to analog and optical input terminals. Furthermore, Inoue teaches wherein the communication session is initially established using Point-to-Point protocol (See col. 17, lines 19-25)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the communication session is initially established using Point-

to-Point protocol as taught by Inoue in the claimed invention of Endsley et al in view of Lin et al in order to actually communicate data between the digital camera and the host device (See col. 18, 53-54).

13. Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,005, 613 to Endsley in view of U.S. Patent No. 6,269402 to Lin et al and further in view of U.S. Patent No. 6,353,848 to Morris as applied to claim 41 above, and further in view of U.S. Patent No. 6,606669 to Nakagiri.

a. As per claim 62, Endsley et al in view of Lin et al and further in view of Morris teaches the claimed invention as described above. However, Endsley et al fails to teach an injection module for providing host-side support for said file-serving communication protocols if not already present, said driver injection module operating by automatically uploading a driver from the portable device to the particular host device and thereafter invoking execution of the driver at the particular host device, so that the host device may access files residing on the portable device, as if the portable device were a file server.

Nakagiri teaches wherein a driver injection module for providing host-side support for said file-serving communication protocols if not already present, said driver injection module operating by automatically uploading a driver from the portable device to the particular host device and thereafter invoking execution of the driver at the particular host device, so that the host device may access files residing on the portable device, as if the portable device were a file server (See col.4, lines 48-58).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a driver injection module for providing host-side support for said file-serving communication protocols if not already present, said driver injection module operating by automatically uploading a driver from the portable device to the particular host device and thereafter invoking execution of the driver at the particular host device, so that the host device may access files residing on the portable device, as if the portable device were a file server as taught by Nakagiri in the claimed invention of Endsley et al in order to prevent the use of the wrong device driver (See col. 2, lines 15-23, Nakagiri)

### *Conclusion*

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Application/Control Number:  
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Art Unit: 2141

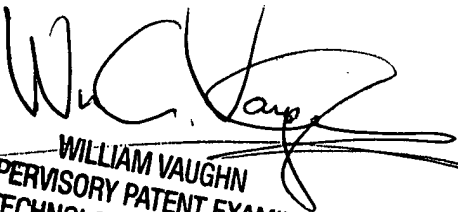
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15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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